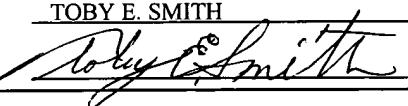
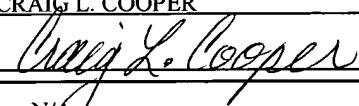


**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	SENSOR AND METHOD FOR DETECTING A PATIENT'S MOVEMENT VIA POSITION AND OCCLUSION
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p><input checked="" type="checkbox"/> The attached application, or <input type="checkbox"/> Application No. _____, filed on _____, <input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my own/knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	

<b>FULL NAME OF INVENTOR(S)</b>	
Inventor one:	<u>TOBY E. SMITH</u>
Signature:	
	Citizen of: <u>United States</u>
Inventor two:	<u>CRAIG L. COOPER</u>
Signature:	
	Citizen of: <u>United States</u>
Inventor three:	<u>N/A</u>
Signature:	
	Citizen of: <u>United States</u>

Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	Application No.: Filing Date: First Named Inventor: Toby E. Smith Title: Sensor and Method for Detecting a Patient's Movement Via Position and Occlusion Attorney Dkt. No.: 57609/04-013
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I hereby appoint:

Practitioners at Customer Number 22206 → Place Customer Number  
 Bar Code Label Here \_\_\_\_\_

**OR**

\_\_\_ Practitioner(s) named below:

Name	Registration No.

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

\_\_\_ The above-mentioned Customer Number.

**OR**

\_\_\_ Practitioners at Customer Number \_\_\_\_\_ → Place Customer Number Bar Code  
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**OR**

\_\_\_ Firm or  
 Individual Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Country \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

I am the:

Applicant/inventor

\_\_\_ Assignee of Record of the entire interest. See 37 CFR 3.71

\_\_\_ Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB96).

**SIGNATURE of Applicant or Assignee of Record**

Name: CRAIG L. COOPER

Signature: *Craig L. Cooper*

Date: *2/11/04*

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of 2 form(s) is/are submitted.

<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	Application No.: Filing Date: First Named Inventor: Toby E. Smith Title: Sensor and Method for Detecting a Patient's Movement Via Position and Occlusion Attorney Dkt. No.: 57609/04-013
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I hereby appoint:

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**OR**

\_\_\_ Practitioners at Customer Number \_\_\_\_\_ → Place Customer Number Bar Code  
Label here \_\_\_\_\_

**OR**

\_\_\_ Firm or  
Individual Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Country \_\_\_\_\_

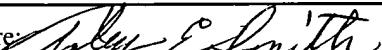
Telephone \_\_\_\_\_ Fax \_\_\_\_\_

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 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB96).

**SIGNATURE of Applicant or Assignee of Record**

Name: TOBY E. SMITH

Signature: 

Date: 2/11/04

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of 2 form(s) is/are submitted.